

## UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICATION NUMBER | FILING OR 371(c) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-----------------------|-----------------------|------------------------|
| 10/702,434         | 11/07/2003            | Dagmar Stimmeder      | 2003-1625              |

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 WENDEROTH, LIND & PONACK, L.L.P.  
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 SUITE 800  
 WASHINGTON, DC 20006-1021

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SEP 7 2004

WENDEROTH, LIND & PONACK

CONFIRMATION NO. 9399



\*OC000000013723134\*

Date Mailed: 09/03/2004

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

### Domestic Continuity and Foreign Priority

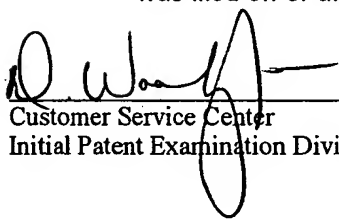
In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☐ Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- ☐ A claim for priority cannot be made based on an application filed after the application making the claim.
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order: **Country, Application number, Filing date.**
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.

☒ The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.

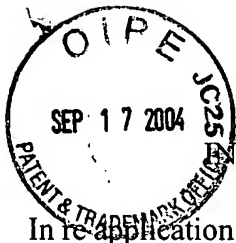
☐ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.

☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.

  
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Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

Ifw.



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

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Dagmar STIMMEDER

: **Confirmation No. 9399**

Serial No. 10/702,434

: **Mail Stop: OFFICE OF INITIAL  
PATENT EXAMINATION'S FILING  
RECEIPT CORRECTIONS**

Filed November 7, 2003

: Attorney Docket No. 2003-1625

CARRIER WITH SOLID FIBRINOGEN AND  
SOLID THROMBIN

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**REQUEST FOR RECONSIDERATION OF  
REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In a communication dated September 3, 2004, a copy of which is attached, the Office denied Applicant's Request for Corrected Filing Receipt because "the application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority." However, this statement is incorrect.

The Request for Corrected Filing Receipt requests the indication of a claim to benefit of domestic priority to prior Provisional Application 60/270,914, filed February 26, 2001. Priority to this application is claimed through the benefit of the immediate parent application of the present application, U.S. Patent 6,733,774.

Thus, the present application was filed November 7, 2003. Because the issue date of the parent patent was May 11, 2004, continuity is maintained with parent patent 6,733,774.

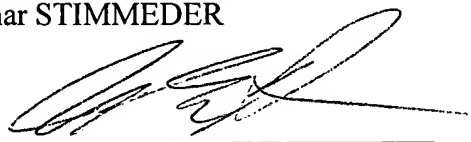
Parent patent 6,733,774 similarly claims benefit of priority to prior Provisional Application 60/270,914, filed February 26, 2001. The application upon which parent patent 6,733,774 is based was filed January 25, 2002. January 25, 2002 is less than one year after February 26, 2001.

Accordingly, it is seen that proper continuity is maintained between the present application, the parent patent, and the prior provisional application. Accordingly, the claim for priority, as well as the correction of the Filing Receipt, is submitted to be in order. Accordingly, the Office is requested to reconsider their denial of the Request for the correction, and is further requested to proceed to make the correction.

Respectfully submitted,

Dagmar STIMMEDER

By



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September 17, 2004